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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 RIMINI STREET, INC., a Nevada
11 corporation,

12 Plaintiff,

13 v.

14 ORACLE INTERNATIONAL
15 CORPORATION, a California corporation,
and ORACLE AMERICA, INC., a Delaware
corporation,

16 Defendants.

17 AND RELATED COUNTERCLAIMS.
18

CASE NO. 2:14-CV-01699-LRH-CWH

[PROPOSED] PROTECTIVE ORDER

19
20 On August 11, 2017, the Court GRANTED Plaintiff and Counterdefendant Rimini
21 Street Inc.'s ("Rimini's") Motion for Protective Order regarding Interrogatory Nos. 3 and 10, 5
22 and 11, and 13 and 14, served by Counterclaimant Oracle America, Inc. and Defendant and
23 Counterclaimant Oracle International Corporation (collectively, "Oracle"). *See* ECF Nos. 499,
24 502 (Rimini's Motion for Protective Order); ECF No. 555 (Minutes of Proceedings); ECF
25 No. 566 (Aug. 11, 2017 Hrg. Tr.) at 5:4–9:13, 24:25–25:8, 42:19–43:1.

26 IT IS HEREBY ORDERED that, for purposes of responding to Oracle's Interrogatory
27 Nos. 3 and 10, 5 and 11, and 13 and 14, Rimini does not have control over (nor possession or
28 custody of) its clients' software environments and archives located on its clients' computer

1 systems, because Rimini does not have “the legal right to obtain [such information] upon
2 demand.”” *In re Citric Acid Litig.*, 191 F.3d 1090, 1107 (9th Cir. 1999) (quoting *United States*
3 *v. Int’l Union of Petroleum & Indus. Workers*, 870 F.2d 1450, 1452 (9th Cir. 1989)); see
4 Aug. 11, 2017 Hrg. Tr. at 6:1–22; 39:12–40:1.

5 The Parties shall continue to comply with their obligations under the KDP Order (ECF
6 No. 390).

7 IT IS SO ORDERED.

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9 Dated: 10-12-17 _____

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12 _____
13 Magistrate Judge Carl W. Hoffman
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CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused to be electronically uploaded a true and correct copy in Adobe “pdf” format of the above document to the United States District Court’s Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon transmission of the Notice of Electronic Filing (“NEF”) to the registered CM/ECF users. All counsel of record are registered users.

DATED: August 25, 2017

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Jeffrey T. Thomas
Jeffrey T. Thomas

*Attorneys for Plaintiff and Counterdefendant
Rimini Street, Inc., and Counterdefendant Seth
Ravin*